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The Communist Menace in Finsterwolde: Conspiring against Local Authorities? A Case Study on the Dutch Battle against Communism, 1945-1951

Susanne Keesman *

Abstract: »Die kommunistische Bedrohung in Finsterwolde: Eine Konspiration gegen die lokalen Behörden? Eine Fallstudie zum niederländischen Kampf gegen den Kommunismus, 1945-1951«. Since the municipal elections of 1946 (and before in the period 1935-1939), the Communist party had held an absolute majority of seats in the city council of Finsterwolde, a small municipality in the north of the Netherlands. In 1951, the Dutch parliament adopted a custom bill to dismiss this "Little Moscow". This article reconstructs the decision-making process that preceded the bill in order to analyze the way the communist threat was framed and securitized. For the administration, legitimizing this rather unique move in Dutch history was essential in order to uphold their democratic standards. The focus of this article is therefore twofold. Both the methods the administration used to invest the communists in Finsterwolde with an aura of imminent threat and the communist reactions to these allegations are discussed.

Keywords: Cold War, communism, Netherlands, securitization.

1. Introduction

On November 3, 1950, the Dutch government filed a bill in parliament to dismiss the municipal government of Finsterwolde, a small village in the north of the Netherlands. Since the municipal elections of 1946 (and shortly before in the period 1935-1939) the Communist Party of the Netherlands (*Communistische Partij Nederland*, CPN) had held an absolute majority of seats in the city council. According to the memorandum of explanation that was filed with the bill, CPN rule had led to a situation in which the local authorities systematically counteracted the principles of good governance. The government therefore argued that the city council and the two communist aldermen were to be removed from office. The mayor, who in the Netherlands is appointed by the Queen rather than through elections, would take over Finsterwolde's administration until further notice.

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At first glance, the measures in Finsterwolde seem to fit within a broader fear of communism in the Netherlands. Scholars like Mark Traa (2009) have demonstrated how the Dutch government drafted various secret plans that would be operated in the case of a future Russian invasion or Third World War. Public opinion about the communist threat shifted after an initial upsurge of sympathy for the communist part in the resistance during the Second World War: the popular fear of a Third World War increased to seventy-five percent in 1948 (Van den Boom 2001, 8). At the same time, within the subsequent administrations, the communist threat was perceived as latent rather than urgent. In 1946, Willem Drees, minister of social affairs in the Schermerhorn-Drees administration,¹ stated that

speaking about Russia, the prime minister [Wim Schermerhorn] has already expressed his opinion, that there was no imminent threat from this side. He also reckoned that the CPN and her affiliated organizations would not deploy any open activities, as long as Russia kept itself aloof.²

In 1950, the parliamentary Commission for the Coordination of the Intelligence and Security Services (*Commissie van Coördinatie van de Inlichtingen- en Veiligheidsdiensten*, CCIV) expressed a similar view. The CCIV advised the administration to adopt stronger measures against communism in order to at least create the public impression that the government was taking the communist threat seriously. At the same time, the commission agreed that an imminent invasion was not feasible, but it was important to mobilize the population and raise their awareness of potential communist subversions and fifth column activities (De Graaff and Wiebes 1992, 55-7).

Because of the contrast between government actions, statements and popular perception, the Finsterwolde case cannot be discarded as a logical consequence of the dominant anti-communist climate. In this paper, we will discuss the framing of the communist threat regarding the Finsterwolde case. We will reconstruct the decision-making process that preceded the bill in order to analyze the way the communist threat was securitized, based on government archives, minutes of parliamentary debates and newspaper articles. This article focuses on the legitimization of this process and the way the communists tried to counter the allegations by operating a conspiracy dispositive. This becomes

¹ The Schermerhorn-Drees administration was appointed by the Queen after the Second World War without general elections. Wim Schermerhorn, a social democrat (Partij van de Arbeid, PvdA) became prime minister. Willem Drees (PvdA) was appointed minister for Social Affairs. This administration lasted from 24 June 1945 until 3 July 1946. The administration was succeeded by Beel I, in which Drees remained the minister for Social Affairs. On August 7, 1948, Drees formed his own administration after the elections of July 7, and became prime minister, which he remained until 1958.

² Report of an audience with Prime Minister Schermerhorn (11 February 1946) National Archives, The Hague (further referred to as NL-HaNA), Bur. Nationale Veiligheid. Acc. 2.04.80, entry 3753.

clear in the 1950 and 1951 parliamentary debates about the government bill to suspend Finsterwolde's administrative authorities. Now Prime Minister Willem Drees was responding to allegations by communist representatives. The communists had suggested that western countries were conspiring to simultaneously overthrow democratically elected communist councils throughout Europe, as councils in France and Italy were sent home as well. Drees countered these allegations by pointing to an international communist conspiracy in the making: "Communists are acting along the same lines in different countries, based on general methods. In the end, the democratic countries have to defend themselves against this in the same way."³ In this debate, two conspiracy theories were introduced. The communists launched their anticommunist conspiracy specter, countered by the prime minister himself who accused the communists in turn of participating in a global communist scheme. Besides this, the communist press, an important non-political actor, also implied the existence of an American scheme and a plot by rich landowners in Finsterwolde.

For the government, legitimizing this rather unique move in Dutch history – of expelling local authorities from office – was essential in order to uphold their democratic standards.⁴ The focus of this article is therefore twofold. Both the methods that the government used to invest the communists in Finsterwolde with an aura of imminent threat and the communist reactions that aimed to counter these allegations are discussed. Securitization theory is used as a conceptual tool kit in order to highlight the actors, discourse and legitimization processes that played a role in this case study. According to Balzacq (2011), whose definition is followed in this article, securitization is

an articulated assemblage of practices whereby heuristic artifacts (metaphors, policy tools, image repertoires, [...], etc.) are contextually mobilized by a securitizing actor, who works to prompt an audience to build a coherent network of implications (feelings, sensations, thoughts and intuition) about a critical vulnerability of a referent object, that concurs with the securitizing actor's reasons for choices and actions, by investing the referent subject with such an aura of unprecedented threatening complexion that a customized policy must be undertaken immediately to block its development (Balzacq 2011, 3).

In the following chapters, first, the proximate and distal contexts will be discussed. Second, the deliberations and discussions regarding the Finsterwolde case within the administration are analyzed. In the third place, parliamentary

³ Minutes of the House of Representatives of the Dutch Parliament (further referred to as HTK) 19th assembly: "Vervolg algemene beraadslagingen over de rijksbegroting voor het dienstjaar 1951" (November 15, 1950), p. 478.

⁴ Beatrice de Graaf has defined legitimization in the introduction of this special issue as a process of normative evaluation from which the "ascribed quality of legitimacy" emerges (De Graaf and Zwierlein 2013, in this HSR Special Issue).

debates and public discourse on the necessity and legitimacy of the interference in Finsterwolde will be addressed.

2. Context

In 1946, the first postwar parliamentary elections resulted in ten seats for the CPN. The established political parties almost immediately excluded the communists from government participation as the distrust that had already existed before the Second World War resurfaced due to the Cold War. Since the CPN still aligned itself with Moscow, prewar anticommunist sentiments and mistrust of the Soviet Union continued. The CPN was consequently regarded as a fifth column in the Netherlands (Engelen 1998, 169-70). Additionally, within Dutch culture, which at that time can be characterized as moderate bourgeois and pillarized, a general dislike and fear of all types of extremism existed. In politics, difficult issues might be polarized in public, but were stripped of their ideological charge behind the scenes. Divergent ideological elites made their mutual decisions based on consultation and agreement. Public order and political moderation were valued over ideological purity, which explains why both left-wing and right-wing extremism were heavily frowned upon, as it was believed they subverted public order and violated the political customs (Blom 2007, 346-9).

Even though this ideal of moderation prevailed, the immediate postwar situation with its political uncertainty bore fruit in a more extreme direction. Not only did communists gain some public approval, but right-wing militias (the so-called *weerbaarheidsorganisaties*) were established and became popular as well. These militias were set up by former resistance fighters and inspired by the popular consensus that the government was taking too little action against communism. These right-wing militias thus put pressure on the government to at least publicly stand up against communism (De Graaff and Wiebes 1992, 54-5; Krijnen 1983).

In 1950, the issue of the right-wing paramilitaries was one of the topics on the agenda of the CCIV. The commission suggested that the government had to take a stronger position against communism by taking visible measures. This way, the government could create the impression that they were serious about fighting communism – although the commission agreed that a communist takeover or revolt was not likely at all (De Graaff and Wiebes 1992, 54-7). Nevertheless, the Dutch domestic security service (*Binnenlandse Veiligheidsdienst*, BVD) and its predecessors made the CPN their prime target. In their intelligence reports, the CPN was characterized as a mouthpiece of Moscow and a fifth column in the Netherlands (Engelen 1998, 168-77). Notwithstanding these BVD reports, the United States regarded the threat of communist revolts in the Netherlands as marginal compared to communist uprisings elsewhere in Eu-

rope. When in 1947, the Dutch minister of finance applied for “interim relief”, an advance on the funds that were destined for the Netherlands as part of the European Recovery Program (ERP or Marshall Plan), his application was rejected on the grounds that France, Austria and Italy were much more endangered by a communist revolution and therefore were in much more need of immediate financial support (Fennema and Rhijnsburger 2007, 177; Hueting 2008, 117).

As discussed in the introduction, the Dutch postwar cabinets did not fear an immediate communist invasion or takeover. However, there were concerns among the entire political establishment about the popularity of the CPN with regard to the upcoming accelerated parliamentary elections of 1948. Different political parties campaigned with anticommunist slogans. The Catholic Party (Katholieke Volkspartij, KVP), for instance, tried to mobilize voters by appealing to them through campaign posters to join the party in its “power struggle against the communist danger” (Bornewasser 1995, 200). In February 1948, shortly before the elections, the CPN lost a lot of support by expressing solidarity with the communist coup d’état in Prague, Czechoslovakia. Because the Netherlands and Czechoslovakia shared a long tradition of democracy, both the political and popular reactions to the coup were harsh and CPN support quickly broke away, resulting in the loss of two seats in the House of Representatives. Popular opinion was further impacted by two other international crises. In October 1949 Mao Zedong declared the communist People’s Republic of China, and in June 1950 the Korean War broke out. Korea was especially important for the Dutch perception of the communist threat, as this was the first time the Netherlands were actively and militarily involved in the Cold War.

Taken together, in the immediate postwar years, the public and political climate shifted to the extent that severe anticommunist measures were met with public approval rather than democratic qualms (Bogaarts 1994, 48-9). First of all, communist MPs were banned from all parliamentary commissions that discussed cases sensitive to national security, like the commissions for Foreign Affairs and Defense (Braun 1975, 67-8). Secondly, the CPN was excluded from radio airtime for political parties, the communist labor union (Eenheids Vakcentrale, EVC) was denied a legal status and the government reinstated the ‘state officials ban’ (*ambtenarenverbod*). With this ban, state officials were no longer allowed to be a member of the CPN, or to subscribe to the communist newspaper *De Waarheid* (literal translation: The Truth) (De Liagre Böhl 2003, 219-20). A ban against the CPN as such was not issued (unlike in the Federal Republic of Germany), since the authorities calculated that an underground communist movement would be much more dangerous than a party that was part of the political system, and of which popularity and membership could be estimated easily (Bogaarts 1994, 56-7). However, the CPN landed in a position of extreme isolation. After the municipal elections of 1949, all democratic parties called upon their local fractions not to participate in coalitions with the

communists (Braun 1975, 68). These measures were an overture towards the direct interventions in Finsterwolde, though on a local level Finsterwolde was not the first case in which the federal government intervened.

In Amsterdam, the CPN was the largest party in the city council after the municipal elections of 1946. The CPN therefore provided two aldermen.⁵ The situation in the executive board of the municipality (the college of B&W) escalated after the CPN declared their support for the coup d'état in Prague in February 1948. The communist aldermen were "invited" to resign, but declined. In June, Parliament then passed a law amendment which made it possible to fire deputies and aldermen before the end of their term. In September 1948, Amsterdam dismissed both the communist aldermen (De Liagre Böhl 2009).

Thus, in Amsterdam, a custom bill was passed and then used a few months later to solve an unwanted situation. In Finsterwolde the opposite was done as the scope of an existing bill was stretched in order to dismiss the local communist government. The bill to supervise local government and – if necessary – to dissolve the local administration was based on the 146th article of the Dutch constitution. This article stated that the federal government could intervene in local governance if "the control and household of the municipality were severely neglected." The article was added to the constitution in 1887 to allow the administration to intervene in local government actions when the financial welfare of the municipality was in jeopardy. The bill had been deployed a few times since then. In almost all cases it was deployed in accordance with the reasons the article existed. Before we can examine the Finsterwolde case in more detail, we have to look at the dismissal of the administration of Beerta in 1933, as it is doubtful that there were no political motives for intervening in this small municipality close to Finsterwolde. In Beerta, the local coalition was formed by the Social Democratic Labor Party (*Sociaal-Democratische Arbeiderspartij*, SDAP) and the CPN. The city council had neglected to submit their budget for three consecutive years. The financial grounds for an article 146 intervention were therefore present, but it could be argued that there were political reasons as well. The CPN was the largest political party in Beerta, with four of the eleven available seats in the city council, while anticommunist sentiments already existed in the interwar Netherlands. During the parliamentary debate on the implementation of an article 146 procedure in Beerta, the communist MP David Wijnkoop operated a conspiracy dispositive to support his argument that the administration had political motives to intervene. He lamented: "This is the pattern according to which they [the administration] intend to do the same to others who are not planning to follow the Colijn ad-

⁵ The political structure of a municipality in the Netherlands consists of a city council, elected by the people, aldermen appointed by this council, their number based on the size of the population, and a mayor, appointed by the crown. The mayor (*burgemeester*) and aldermen (*wethouders*) form the college of B&W, the executive board of the municipality.

ministration in this period of breakdown.”⁶ His speech could not prevent the fact that only the three communist MPs voted against the bill,⁷ but it did set a precedent for communists and we will see later on in this article that conspiracy dispositives were operated by communists in the Finsterwolde case as well.

When considering the situation in Finsterwolde, the communist majority was not a complete surprise. The CPN was traditionally popular in this region and in Finsterwolde, a ‘red menace’ similar to Beerta had developed even before the Second World War. During the municipal elections of 1935 the CPN had obtained an absolute majority in the city council with six of the eleven available seats. With Beerta in mind, the SDAP declined to participate in the local coalition, an offer the CPN had made even though they held an absolute majority. Therefore, the CPN ruled alone, which prompted the minister of internal affairs Hendrik van Boeijen (*Christian Historical Union*, CHU) to set up a code of conduct in consultation with the Queen’s Commissioner, the States Deputed (*Gedeputeerde Staten*, G.S.) and the mayor of Finsterwolde. Though democratic elections had been held, Van Boeijen did not believe that the city council was a democratic reflection of the people in Finsterwolde. He feared a communist master plan in which the CPN were secretly strengthening their position by forming cells in which they, “contrary to the situation at the time in Beerta, acted with great caution.”⁸ Notwithstanding his fear of a communist conspiracy, Van Boeijen did not want to intervene right away. He believed that the communist conspiracy would surface in time and that “the people will see that this method of administration is not the most appropriate.”⁹ In 1939, the CPN then lost its absolute majority with the new municipal elections and the Second World War broke out shortly afterwards. The combination of these two factors caused the question to disappear from the political agenda.

In 1946, during the first postwar municipal elections in Finsterwolde, the CPN once again received an absolute majority in the city council. Since the newly founded social democratic PvdA had already announced that they would not cooperate with the CPN, the communists established a single party majority, as they had done before the war (Hoekman and Houkes 1993, 25, 64-5). In the period between 1946 and 1950, the collisions between the council and the federal government in The Hague intensified (Braun 1975, 14-5). The communists in the council had committed themselves to the improvement of the living conditions of the many poor laborers in the municipality, and the CPN initiated the construction of new houses, little city gardens, dry and light rooms

⁶ HTK 33th assembly: “Voorziening in bestuur der Gemeente Beerta” (21 December 1933), p. 1164.

⁷ HTK 33th assembly (21 December 1933), p. 1168.

⁸ Letter from the minister of Internal Affairs about the situation in Finsterwolde (18 January 1938). NL-HaNA, OKW/Kabinet. Acc. 2.14.20, entry 256.

⁹ Ibidem.

in homes where people with tuberculosis lived, and education and sports facilities (Braun 1975, 17). The mayor complained about the way communist council members continuously discussed international politics. In addition, the local government had decided to pay the salaries of laborers who went on strike against the grim working conditions prescribed by social services (*Dienst Uitvoering Werken*, DUW), whereby unemployed laborers had to work in order to receive financial aid. The ordinances that came with these council decisions were annulled by the state. The atmosphere in the council was therefore cold as the communists held the mayor responsible for these annulments.¹⁰

This increasingly irritated the mayor, Harm Tuin (PvdA), since he felt that the interests of the laborers were placed in the foreground while the attitude of the communist majority towards the mayor and all non-communist council members was ill-affected. For instance, during a council meeting, a communist council member had stated that “the administration continues the policies of the German fascists. But it will not be long before these gentlemen will be tried before their Nuremberg.”¹¹ However, the situation was by no means serious enough to justify an Article 146 intervention on financial grounds, as the budget plans presented to the provincial government by the local authorities had always been approved. The next chapter will demonstrate in more detail that the federal administration was aware of the dubious constitutional grounds the measures were based upon. The irritation about this communist stronghold among the establishment was nonetheless large enough to proceed anyway. The question therefore remains as to why exactly the government decided to intervene in Finsterwolde and how this intervention was legitimized. A few more steps and incentives were necessary before the *ultimate remedium* – the Article 146 intervention – was deployed.

3. Finsterwolde in Private Government Communications

In 1949, the CPN prolonged its absolute majority in the city council for another four years. The prospect of a continuation of CPN rule prompted mayor Tuin to notify the regional government about the increasing problems in Finsterwolde.¹² The provincial authorities, the so-called States Deputed (*Gedeputeerde Staten*, G.S.), then decided to bring the matter to the attention of the minister of internal affairs, Frans Teulings (KVP). The highest provincial authority and chairman of G.S., the Queen’s Commissioner, took it upon himself to write the

¹⁰ Letter from Mayor Tuin to States Deputed (9 August 1949). NL-HaNA, BiZa/ Bestuurszaken en Kabinetszaken. Acc. 2.04.87, entry 439.

¹¹ Minutes of the council meeting of the Finsterwolde city council (February 23 1950).

¹² Letter from States Deputed to the Minister of Internal Affairs (23 September 1949). NL-HaNA, BiZa. Acc. 2.04.87, entry 439.

letter to the ministry. The Queen's Commissioner at that time was E. H. Ebels, a politician from the conservative-liberal party (*Volkspartij voor Vrijheid en Democratie*, VVD). It is noteworthy that Ebels was descended from a family of rich landowners – the same social status that was directly targeted by the communists in Finsterwolde. It is therefore quite possible that Ebels felt some personal motivation to assist mayor Tuin in ousting the communists from office. Ebels appealed to The Hague to intervene and apply Article 146 of the Constitution. In his letter of September 23, 1949, he stated:

The communist party should be seen as a serious threat to our state institutions and our legal system. [...] The last decade has very clearly demonstrated the dangers of allowing those movements to participate on an equal footing in our democratic system, as they do not accept the foundations of this system and above all aim to [...] overthrow the given order. The communists have clearly placed themselves outside of this order. Against them, defense is legitimized for reasons of self-preservation.¹³

In Ebels' argument, two concepts play an important role. On the one hand, he focuses on the threat to the state institutions and the legal system (the 'referent object' in the securitization theory). His argument reminds us of the traditional fear of extreme positions vis-à-vis the moderate, bourgeois idea of public order. This theme also recurred in the parliamentary debates. The conservative-liberal MP Govert Ritmeester stated in 1951 that it is "our duty to provide peace, order and authority in The Netherlands."¹⁴ In the second place, Ebels described the "referent subject", the perpetrator, as much more encompassing than the mere bunch of communists in Finsterwolde alone. According to him, the two communist aldermen in Finsterwolde represented an overarching threat of communists wanting to overthrow the given order. However, the ministry did not respond to this first letter. Therefore, G.S. sent a reminder on October 14, 1949.¹⁵ In this second letter, Ebels provided more factual information for his argument, and attached a copy of a letter from mayor Tuin to G.S. This letter, counting over sixty pages, gave various examples of the apparent problems in Finsterwolde.¹⁶ G.S. kept sending similar letters in the course of 1949 and 1950 in order to keep the attention of the minister.

In response to the second letter from G.S., Jan Kan, the chief of staff for the Ministry of Internal Affairs, Department of Domestic Administration and Legislation (*binnenlands bestuur en wetgeving*), wrote a report to the minister. In

¹³ Letter from States Deputed to the Minister of Internal Affairs (23 September 1949). NL-HaNA, BiZa/ Bestuurszaken en Kabinetszaken. Acc. 2.04.87, entry 439.

¹⁴ HTK 66th assembly: "Voorziening in het bestuur van de gemeente Finsterwolde (24 May 1951), p. 1827.

¹⁵ Reminder from States Deputed to the Minister of Internal Affairs (14 October 1949). NL-HaNA, BiZa. Acc. 2.04.87, entry 439.

¹⁶ Letter from Mayor Tuin to States Deputed (9 August 1949). NL-HaNA, BiZa. Acc. 2.04.87, entry 439.

this report, Kan presented the letters from G.S. and discussed the question of whether it was possible to intervene in Finsterwolde. Kan concluded that “there are powerful objective standards to indicate that the term ‘severe neglect of the internal household of the municipality’ [...] is not yet applicable here.”¹⁷ Kan discussed another possible ground for intervention in the undesirability of a situation in which both the city council and the executive board (College of B&W) consisted of a communist majority. He discarded this possibility by pointing to the “code of conduct that the government followed over the past years concerning communism, and still follows.”¹⁸ Kan suggested discussing the matter in the Council of Ministers. Minister Teulings did not deem this necessary at the moment, but replied that he would bring the matter up in the reports and queries section at the end of the meeting.¹⁹ However, the question cannot be found in the minutes, so it is not clear whether and in what way the question was discussed in a more informal setting, or kept out of the notes deliberately.

At the end of November, Kan’s attitude towards the Finsterwolde situation changed. He wrote a letter to Teulings in which he informed the minister about the possibility of visiting the village, and on December 6, 1949, Kan sent a report in which he discussed some problems regarding the suspended decisions made by the city council. Whereas Kan wrote in October that an intervention was not possible based on Article 146, and not desirable on other grounds, he now wrote that the minister could not continue infinitely revoking council decisions in an incident-based manner, as this ad-hoc approach would affect the state government’s legitimacy, since legal grounds for the repeals were thin.²⁰ Kan also started to push for bringing the issue of Finsterwolde up in the Council of Ministers, and during the minister’s visit to Groningen, Kan placed the Finsterwolde situation in a prominent position on the agenda.²¹

On January 7, 1950, Minister Teulings described the question as a matter that was of such general interest that other ministries (Reconstruction, Economic Affairs, Agriculture and Finance) would also be affected. Therefore, in January 1950, Kan subsequently brought the question to the attention of Prime Minister Willem Drees. He wrote a memorandum with a short note explaining

¹⁷ Report from J.M. Kan to minister Teulings (October 1949). NL-HaNA. Acc. 2.04.87, entry 439.

¹⁸ Ibidem.

¹⁹ Comments written on a report from J.M. Kan (October 1949). NL-HaNA. Acc. 2.04.87, entry 439.

²⁰ Report from J.M. Kan to the Minister of Internal Affairs concerning the council decisions of Finsterwolde regarding the municipal body responsible for social affairs (6 December 1949). NL-HaNA. Acc. 2.04.87, entry 439.

²¹ Agenda sent by J.M. Kan to minister Teulings (30 December 1950). NL-HaNA. Acc. 2.04.87, entry 439.

the situation in Finsterwolde.²² Kan addressed the possible steps the government could take. The first option was to wait, while council decisions would no longer be annulled on dubious grounds, in order to reach the situation of “severe neglect” faster. The second option Kan presented was to dismiss the municipal government immediately based on Article 146.²³ This demonstrates how an important government actor deliberately sought a possibility of intervening. The response by Drees is written down in a memorandum dated March 7, 1950. Drees had apparently sent the question back to the Ministry of Internal Affairs but was “willing to cooperate if there were enough compelling arguments.”²⁴ On February 13, 1950, Kan received another letter from the Queen’s Commissioner in Groningen. Ebels wrote that G.S. was “now eagerly awaiting the filing of a bill which would end this sinister game.”²⁵ On March 7, the issue was put on the agenda of the Council of Ministers. The ministry still doubted the constitutional possibilities of taking action, but believed that in any case it would be good to discuss the question in the council.²⁶ Teulings then sent a memorandum, accompanied by a note, to all ministries.²⁷ According to Teulings:

[...] one can ask whether the democracy has the right (or the obligation) to defend itself with all possible means when an opponent uses illegal means (terror etc.). For the authority of the state it is disastrous to allow the continuation of the practices of this communist council and administration. One can already hear sounds to this effect, that the government apparently does not regard itself as all too strong, as they let this ‘play’ run its course.²⁸

Finally, the Council of Ministers dedicated itself to the Finsterwolde issue on April 17. The council concluded that Article 146 was a far-reaching step to take, but in absence of alternatives, moral grounds were powerful enough to legitimize such a step.²⁹ To absolutely ascertain the democratic legitimacy of the intervention, an advisory committee was formed. This committee was chaired by George van den Bergh, a professor of law, and chairman of the Wiardi Beckman Foundation (a political foundation linked to the PvdA). The committee further comprised Max Prinsen, the secretary of the Council of

²² Note accompanying a memorandum from J.M. Kan to minister Teulings (7 January 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²³ Memorandum for the discussion of the Finsterwolde question with prime minister Drees (7 January 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²⁴ Letter from J.M. Kan to minister Teulings (7 March 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²⁵ Letter from E.H. Ebels to J.M. Kan (13 February 1950). NL-HaNA. Acc. 2.04.87, entry 440.

²⁶ Letter from J.M. Kan to minister Teulings (7 March 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²⁷ Letter from the chairman of the Council of Ministers to all ministers (5 April 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²⁸ Memorandum for the Council of Ministers (5 April 1950). NL-HaNA. Acc. 2.04.87, entry 439.

²⁹ Summary from the minutes of the Council of Ministers (17 April 1950). NL-HaNA. Acc. 2.04.87, entry 439.

Ministers, J. Riphagen, legal advisor at the Ministry of Internal Affairs and A.L. Wilkeshuis, the deputy secretary of the Council of Ministers.

Interestingly, this committee initially had strong reservations about an Article 146 intervention. On May 12 Van den Bergh wrote a letter to Kan discussing the design of the memorandum of explanation that would be filed in parliament together with the bill. According to the committee the factual evidence was not very strong, while only very concrete proof of corruption, nepotism and intimidation or acts of terror could legitimize a national intervention. Notwithstanding these reservations, the committee did see some possibilities:

If it can indeed be proved that the principles of the democracy are knowingly undermined, it is permissible to speak of a situation of “severe neglect of the control and household of the municipality.”³⁰

In preparation for such a situation, the committee advised the administration “to seek contact with the representatives of the five parties in parliament and to let ‘good’ press organs prepare the case.”³¹ This further demonstrates the uncertainty about the legal grounds for an intervention.

At the end of June, the Van den Bergh committee decided to alter the constitutional legitimization in the memorandum of explanation. In accordance with their opinion about the legal possibilities, the explanation would now be based on the argument that the situation in Finsterwolde contradicted the general principles of good governance.³² The minutes of this meeting spoke about the “suffocating atmosphere, which pushes every healthy initiative back.” With these changes, the memorandum now pointed to the context of a “systematic negation of the principles of objectivity, respect for human personality and loyalty for the minority.” Interestingly, rather than adding more concrete evidence of bad governance to the memorandum of explanation – which the committee had deemed necessary on May 12 – the examples already given were connected to the national values of good governance: “the tangible facts are symptoms of a total and totalitarian atmosphere, which should be considered to stand in a direct conflict with the Dutch standards considering the principles of good governance.”³³ Both the “referent object” – the state of the Dutch democratic order – and the “referent subject” – the totalitarian threat of a communist subversion – were heavily inflated.

The Finsterwolde case was then discussed in the Council of Ministers on September 18, 1950. The draft of the bill and the memorandum of explanation

³⁰ Report from a meeting about Finsterwolde between Kan, Van den Bergh, Prinsen, Riphagen and Wilkeshuis (31 May 1950). NL-HaNA. Acc. 2.04.87, entry 439.

³¹ Ibidem, NL-HaNA, Acc. 2.04.87, entry 439.

³² Note on letter from J.M. Kan to M. Prinsen (15 June 1950). NL-HaNA. Acc. 2.04.87, entry 439.

³³ Memo concerning the situation in Finsterwolde (27 June 1950). NL-HaNA, Acc. 2.04.87, entry 439.

were unanimously adopted. After some consultations between the minister of justice, the Council of State and States Deputed in Groningen, the intervention was announced to the public on October 30, 1950 (Maas and Clerx 1996, 911).

4. A Public Third World War: The Adoption of the Finsterwolde Bill

On November 3, 1950, the cabinet presented the Finsterwolde bill in parliament. The city council, the local administration and municipal commissions controlled by the CPN were to be dismissed and the mayor was to be appointed as the state official who would rule Finsterwolde. Together with the bill, the administration filed a memorandum of explanation. This memorandum included a passage that addressed the main problem of legitimizing this rather unique move: the fact that the drafters of the constitution had not intended Article 146 to be used in situations like Finsterwolde. The administration thus refuted the obvious argument that the bill was unconstitutional beforehand, concluding that:

It is after careful consideration of the scope of the law that the government came to the conclusion that, in the light of current events, it is constitutionally fully justified in applying Article 146 [...] also in cases where a municipality systematically acts contrary to the principles of good governance.³⁴

The administration expressed the importance of the general atmosphere of political subversion in Finsterwolde to compensate for the rather flimsy constitutional grounds. After all, the Van den Bergh committee had stated during the preparation of this bill that the factual evidence was thin. In the memorandum of explanation, the examples from the city council minutes were consequently connected to the broader threats of global communism – inflating the local threat to international dimensions. Communist municipal officials were for example quoted as saying that they “were not prepared to pander to the interests of a reactionary landowner representing the government.” And, when opposed by the mayor, they would subsequently lash back with slogans such as: “the class struggle is buried with you, but not with us.”³⁵ To demonstrate that this threat was not just political, but also had a physical character, one of the communist council members was quoted stating that “persons of his [the mayor’s] kind would be dealt with once the working class had taken control,

³⁴ HTK attachments: “Voorziening in het bestuur van de gemeente Finsterwolde”, memorandum of explanation (3 November 1950).

³⁵ Ibid.

like in China.”³⁶ According to the government, these examples were “a typical symptom of the moral pressure being exerted on the entire population.”³⁷

The government further substantiated its claim by pointing to the national implications of such a local situation. According to the government, the communists:

[...] had gradually lost sight of the place of the municipality as part of our state order. They do not hesitate to follow a policy in the performance of their duties which clearly shows that they have disengaged themselves from Dutch morale and apparently seek to undermine the legal authority and the authority of the law.³⁸

The government projected the image that the CPN increasingly opposed the idea of Dutch bourgeois society and its norms of moderation. Hence, the threat perception that can be deduced from the memorandum of explanation pertained in the first place to the local dimension of CPN subversion in Finsterwolde. In the second place, the memorandum lifted the threat to a higher, national level. The minister even suggested that democracy as such was being threatened, thereby attributing an ideological dimension to the communist menace in Finsterwolde. The government wrote that because of this atmosphere it was “not surprising that [...] amongst the population a sense of living in a state of utter lawlessness prevails.”³⁹ In sum, “the way in which the municipal Administration was conducted detracted [...] gravely from the state’s authority and respect for the law.”⁴⁰

The communist reaction to this bill was obviously very negative. Different communist actors introduced conspiracy theories in order to counter the allegations. Before continuing to the legitimization of the bill in the parliamentary debates, I will first discuss these conspiracies. In Parliament, the communist MPs expressed their indignation and anger. The communist MP Paul de Groot stated that the bill was an attempt to reinvigorate the “waning anticommunist sentiments in Dutch society.”⁴¹ Another communist MP, Henk Gortzak, introduced the argument of a conspiracy, hinting at a larger, international scheme to thwart legal communist attempts to gain influence. According to Gortzak, the intervention in Finsterwolde was clearly fueled by the United States, as communist city councils in France and Italy were being dissolved as well.⁴² In order to counter these allegations, prime minister Willem Drees introduced a counter-

³⁶ Ibid.

³⁷ Ibid.

³⁸ HTK attachments: “Voorziening in het bestuur van de gemeente Finsterwolde”, memorandum of explanation (3 November 1950).

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ HTK 18th assembly: “Algemene beraadslagingen over de Rijksbegroting voor het dienstjaar 1951” (14 November 1950), p. 458.

⁴² HTK 18th assembly, p. 463.

conspiracy into the debate: the coincidence of the measures in France, Italy and the Netherlands was not caused by this alleged anticommunist plot, but by the fact that “communists act the same way in different countries, based on general methods, and in the end, the democratic countries have to defend themselves against this in the same way.”⁴³ Drees thus alluded to the broader-felt fear of an underground communist movement in his reaction, but did not operate this conspiracy theory in other debates.

In Finsterwolde, the local fraction of the CPN rejected the bill and the legitimizing arguments altogether and immediately sent a petition to the cabinet demanding the bill’s suspension. In the city council, the CPN operated the same conspiracy dispositive that Gortzak had used. On November 30, 1950, the communist council member Harm Haken (brother of the MP Jan Haken) lamented that “it is no coincidence that the same is happening in France and Italy. The measures are ordered by Washington. And the press, barring a few exceptions, have faithfully helped in this.”⁴⁴

When researching the press reaction, a third communist actor that operated the conspiracy dispositive can be discerned. Popular opinion demanded government action against communism and welcomed the measures in Finsterwolde. This was especially the case for newspapers like the social democratic *Het Vrije Volk* (The Free People). The communist national newspaper *De Waarheid* reacted with a stream of articles about Finsterwolde in which various conspiracies were introduced. On November 3, 1950, *De Waarheid* published an article that related the intervention to a local plot by rich landowners that had existed since the first absolute communist majority of 1935. The landowners, according to the newspaper, had never complied with the situation in Finsterwolde. The mayor was depicted as an accomplice, ready to alarm the provincial and national government whenever council decisions did not please the landowners. According to *De Waarheid*, the communists had been able to withstand this “bourgeois” campaign, but:

[...] when it became clear that the democratically and constitutionally elected administration of Finsterwolde could not be destroyed by sabotage, slander and intimidation, the Drees administration presented [Finsterwolde] with coarse fascist artillery” (*De Waarheid*, November 3, 1950).

As a consequence of a political crisis at the beginning of 1951,⁴⁵ the memorandum of reply⁴⁶ was not filed in Parliament until May 16, 1951. Therefore, more

⁴³ HTK 19th assembly: “Vervolg algemene beraadslagingen over de rijksbegroting voor het dienstjaar 1951” (15 November 1950), p. 478.

⁴⁴ Minutes of the city council of Finsterwolde (November 30, 1950). NL-HaNA, ingang 2.04.87, inv.nr. 438.

⁴⁵ The cabinet fell over a crisis in New Guinea due to a motion by the conservative-liberal party (VVD). See for more information on the crisis the online parliamentary database: <<http://www.parlement.com/9291000/modules/g2ebm0yv>> (accessed 28 September 2012).

than half a year passed before the parliamentary debate was held on May 24 and 25. As a consequence of this crisis, a new minister of internal affairs, Johan van Maarseveen (KVP), had been appointed. He largely stuck to the course embarked on by Teulings and Kan, but went further in explicating the threat to the legal order and the authority of the state. In the memorandum of reply, he stated that:

The fact is that it cannot be allowed that constitutional rights are abused [...] with the goal of impairing the Dutch legal order as much as possible. Such abuse is contrary to the prevailing notion in the Netherlands of what is legitimate and dutiful.⁴⁷

In the parliamentary debates, Minister Van Maarseveen continued to highlight the undesirability of the situation in Finsterwolde in terms of public order, the culture of consent and the authority of the state. Van Maarseveen opened his statement with a summary of all the causes that justified the use of Article 146, which had already been laid out by Teulings and Kan. Van Maarseveen structured his statement along five lines of argumentation:

- 1) The municipal administration had declared that it only represented the interests of communist laborers, which implied that they neglected the interests of all the other citizens they were supposed to represent.
- 2) The city council refused to cooperate in matters of development and industrial projects suggested by noncommunist council members, although these investments would benefit the community as a whole.
- 3) Communist aldermen and council members intimidated and threatened local officials with dismissal if they refused to execute their “unlawful biddings.”
- 4) Communists terrorized all other party members by warning them that they would fall victim to the revolution, once the “advance of the working class had crossed the Dutch borders.”
- 5) The city council deliberately pushed conflicts to the limit, rather than looking for compromises, as a responsible government would set out to do.⁴⁸

Just as in 1950, the communists were the only party to oppose the bill. The communist spokesmen argued that the situation in Finsterwolde was not as serious by far as the government had suggested. They had let the situation continue for another half year after the bill was filed, something that would not have happened if the situation was truly as burdensome as the government

⁴⁶ In Dutch politics, it is customary to file a memorandum of explanation with a bill, followed by a short parliamentary debate. To answer questions that arose during this short debate, the initiator of the bill then files a memorandum of reply, after which the actual debate with a vote is scheduled.

⁴⁷ HTK attachments: “Voorziening in het bestuur van de gemeente Finsterwolde”, *Memorandum of reply* (16 May 1951), p.13.

⁴⁸ HTK 67th assembly: “Voorziening in het bestuur van de gemeente Finsterwolde” (25 May 1951), p. 1841.

claimed. As Gortzak had done during the preliminary debate in 1950, Haken operated the American conspiracy dispositive as well. Haken argued that France, Italy, Belgium and Luxembourg were taking the same measures against local communist councils and aldermen, which proved that “these orders were all inspired [...] by the rulers of the [American] State Department, the Hitlers of 1945, the murderers of the Korean people [...] the current and future war criminals.”⁴⁹ However, the Catholic MP E.G.M. Roolvink (KVP) countered these allegations in a somewhat humorous tone, discarding the conspiracy dispositive as a mental image produced by the communists: “I believe the honored representative Gortzak suffers from some sort of an America complex, causing him to consider many things under a false light!”⁵⁰

In the continuation of the debate, various speakers of government parties further substantiated the grounds on which the administration had claimed the legitimacy of the bill. The social democratic MP Johan Scheeps did this in a very serious manner. He used strong anticommunist discourse, invoking a real Cold War atmosphere. Scheeps disapprovingly quoted a Finsterwolde communist who had purportedly compared the Dutch government with the German fascists, and had warned the ministers that they would receive a Nuremberg trial as well.⁵¹ For Scheeps, an intervention was urgent:

It is, mister chairman, a case of life and death. [...] The years 1940-1945 have clearly demonstrated that [...] if we do not take timely action against every fascist danger, and extinguish every fascist fire, we will later have to reproach ourselves, with blood and tears, for what we could have done under easier conditions, but failed to do so. Democracy and freedom cannot thrive where dictatorship lives, whether this dictatorship comes to us in the name of a racially pure Aryanism or proletarian slavery.⁵²

As anti-totalitarianism soared high and public fears of a Third World War had increased since 1946, Scheeps’ argument had an impact. Scheeps explicitly played into the public fear of communism by stating that “these threats [by the communists] are made after a World War with the likelihood of a Third World War in front of us.”⁵³ The accusations by Scheeps have to be seen within a broader perspective of the Second World War and socialist rivalry (Rovers

⁴⁹ HTK 66th Assembly (24 May 1951), p. 1820.

⁵⁰ HTK 66th Assembly (24 May 1951), p. 1825.

⁵¹ Quoted from the minutes of the city council of Finsterwolde held on 23 February 1950. HTK 66th assembly: “Voorziening in het bestuur van de gemeente Finsterwolde (24 May 1951), p. 1830.

⁵² HTK 66th assembly (24 May 1951), p. 1827.

⁵³ HTK 67th assembly: “Voorziening in het bestuur van de gemeente Finsterwolde” (25 May 1951), p. 1848.

1994),⁵⁴ but a broad anti-totalitarian consensus prevailed amongst the other parties as well.

For the VVD, MP Govert Ritmeester presented their view on the legitimacy of this bill. He stated in a reaction to the threats made by the CPN in the Finsterwolde city council that:

This has to do with the armed working masses, predicted by Lenin in his ‘Revolution’. We stand in opposition to this ideology. It is our duty to provide tranquility, order, and authority in The Netherlands. Therefore, we cannot do otherwise than, albeit with a heavy heart, accept this bill for the sake of the democracy, because it has to be done.⁵⁵

Ritmeester’s quote is a good example of the process of ‘othering’ (Hansen 2006, 38-40), a phenomenon crucial to the concept of conspiracy and security. Ritmeester makes a clear distinction between the CPN and the patriotic “we” he calls on to take action. With this “we” he suggests both parliamentary and public support, and places communists outside the orbit of “good” citizens. As securitization theory dictated, a sense of urgency, immediacy and inevitability should be invoked to legitimize emergency measures. Ritmeester did so by pointing to the innate otherness and totalitarian nature of the communist threat, concluding not with a political statement, but by pointing to an impersonal authority: “it has to be done”.

The bill to intervene in Finsterwolde was passed after the debate in the House of Representatives on May 25 and became active on July 20 1951, after the Senate had ratified the bill. Both the city council and the College of B&W were dismissed and the mayor was appointed as government commissioner who *de facto* ruled Finsterwolde.

5. Conclusion

In this article, we set out to reconstruct the decision-making process that preceded the Finsterwolde bill. For the administration, legitimizing this rather unique move in Dutch history – dissolving the entire local government structure – was essential to uphold their democratic standards. Behind the scenes, local and federal government officials, ministers and legal experts discussed the constitutional basis and the legitimization of the use of Article 146 in Fin-

⁵⁴ The CPN was founded in 1909 after a dispute within the SDAP (the social democratic party). In 1946 the SDAP was included in the PvdA. In some ways, one could therefore say that the communist party was born within the social democratic party. Other parties used this. For instance, in 1948 the VVD (conservative-liberal party) and the CHU (Christian-conservative party) named the PvdA as the cause of the appointment of CPN aldermen in Amsterdam. The PvdA therefore used a relatively strong anticommunist discourse in Parliament. For more information see Rovers (1994).

⁵⁵ HTK 66th assembly (24 May 1951), p. 1832.

sterwolde. In the end, the consensus was that the legal grounds were thin, but that an intervention could be justified on grounds that the city council continuously acted contrary to the principles of good governance. The Drees administration (the securitizing actor) legitimized this move by investing the communists in general and the communist city council in particular (the referent subject) with such an aura of unprecedented threat that direct measures had to be adopted in order to protect the citizens of Finsterwolde, the public order, and the authority of the state (the referent objects). In parliament, a sense of urgency, immediacy and inevitability was invoked by both ministers and MPs in order to legitimize such custom measures. They did so by inflating the threat and connecting it to broader values of Dutch political culture, the public order and the authority of the state.

Communists tried to oppose the created image by operating a conspiracy dispositive: the local and national fractions of the CPN hinted at an American scheme to thwart legal communist attempts to gain influence. Non-political actors also operated conspiracy dispositives. *De Waarheid* further elaborated the existence of an American plot, but also introduced a local conspiracy theory. The mayor of Finsterwolde acted as an accomplice to the rich landowners, standing ready to alert provincial and national government whenever decisions made by the communist party did not please them. In both these conspiracy theories, the communists became the victims of the bourgeois and capitalist world. However, the Finsterwolde situation was already invested with such an aura of necessity and imminent threat by both politicians and the press that these conspiracy claims were not strong enough, nor were the communists able to spread them further than their own media in order to gain enough credibility or grounds. The government could therefore counter these conspiracies without the bill's losing its legitimacy.

In order to understand the climate in which the government was able to legitimize the intervention in Finsterwolde, this case study cannot be disconnected from the context. In the immediate postwar years, a situation in which society was afraid of communism and a Third World War had developed. Popular opinion was that the Dutch government did too little to contain communism in the Netherlands. The continued press attention towards the Finsterwolde case fed the idea that letting the situation in Finsterwolde continue in this way would affect the authority of the state. Also, right-wing militias were formed by citizens and quickly gained popularity because of popular consensus that the government did too little against the communists. These right-wing militias thus put pressure on the government to at least publicly stand up against communism. Also, the international context with the crises in China, Korea, Greece and Prague had spawned a situation in which anticommunist measures could be taken without public or political resistance. In the end, the Finsterwolde bill was passed by the House of Representatives on May 25 and became active on July 20, 1951, after the Senate had ratified the bill. Both the city council and

the College of B&W were dismissed and the mayor was appointed as government commissioner who de facto ruled Finsterwolde. The effect of this bill was, however, short-term. After the municipal elections of 1953 the municipal government of Finsterwolde would be restored. The CPN again received six of the eleven seats in the city council during this election and thus managed to obtain an absolute majority in the city council once more.

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